

Application No. 09/467,851
Amendment "D" dated October 24, 2005
Reply to Office Action mailed August 12, 2005

REMARKS

The non-final Office Action, mailed August 12, 2005 considered and rejected claims 2, 3, 23, 24, 26-37 and 39-51 under 35 U.S.C. 102(a) as being unpatentable by ATVEF (Draft, version 1.1r26 updated 02/02/99),¹ and under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Additionally, claim 39 was objected to for minor informalities.

By this paper, claims 23, 36, and 39 have been amended.² No claims have been cancelled, while new claims 52-54 have been added. Accordingly, following this paper, claims 2, 3, 23, 24, 26-37 and 39-54 are pending. Of these, claims 23, 36, 39 and 42 are the only independent claims at issue. Of the claimed embodiments, claim 23 is directed to a method, claim 36 is directed to a corresponding receiver, claim 39 is directed to a corresponding system, and claim 42 is directed to a corresponding computer program product.

With reference to the objection to claim 39, Applicants initially thank the Examiner for drawing Applicants attention to the informality in the claim language. As reflected in the above claim listing, claim 39 has been amended to fix the minor informality, as recommended by the Examiner. Accordingly, Applicants submit that the objection is now overcome.

As noted above, claims 2, 3, 23, 24, 26-37 and 39-51 were rejected under 35 U.S.C. § 112, first paragraph for containing "subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention." Particularly in light of the amendments to claims 23 and 36, Applicants respectfully traverse.

The claim limitation rejected by the Examiner has been amended to recite "regardless of whether the configuration information indicates that the receiver is connected or disconnected, executing the disconnected-content trigger to thereby access the enhanced content from local storage, without accessing the enhanced content from a remote source over a bi-directional

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. For example, Applicants reserve the right to swear behind and challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support in the specification for the new claims and amendments includes, but is not limited to, the disclosure found on pages 5-8 and 14 of the originally filed application, and in the previously filed claims.

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connection." Applicants respectfully submit that this claim limitation is fully supported in the original specification in such a way as to allow a person having ordinary skill in the art to understand that Applicants had possession of the claimed subject matter. For example, the originally filed application teaches that the connection status of a receiver (e.g. connected or disconnected) is specified by configuration data (pg. 14, ln. 5-9), and that to execute a disconnected-content trigger, the receiver accesses local information, without a bi-directional connection (pg. 8, ln. 3-7, abstract). Further, execution of this disconnected-content trigger is performed by both a disconnected receiver (pg. 11, ln. 12-15), as well as a connected receiver unit (see pg. 11, ln. 21-23). In other words, the specification clearly describes an exemplary embodiment in which: (i) connection status of a receiver is indicated by the configuration information; (ii) the disconnected-content trigger is executed by accessing local storage rather than a bi-directional connection; and (iii) that (ii) occurs for both connected and disconnected receivers.

Applicants submit that while the claim language may not be taken verbatim from the specification, the cited language teaches an embodiment of the invention, clearly supporting the scope of the claimed invention. In particular, the specification fully teaches that a receiver, whether connected or disconnected, executes a disconnected-content trigger to access content from local storage rather than from a remote source over a bi-directional connection. Accordingly, as mere rewording of the disclosed description is permissible and does not result in a lack of satisfying the written description requirement (see, e.g., M.P.E.P. § 2163.07), Applicants respectfully submit that the claimed invention satisfies the written description requirement, and request that the rejection of claims 2, 3, 23, 24, 26-37 and 39-51, as based on 35 U.S.C. § 112, first paragraph, be withdrawn.

With respect to the claims rejected under 35 U.S.C. § 102(a), Applicants note that each of the amended independent claims incorporates elements relating to the filtering and execution of triggers to prevent a view from being interrupted by links to inaccessible enhanced content in an interactive television system. In particular, each of the recited embodiments generally includes a receiver that stores configuration information that is customized to control when the receiver will execute a connected-content trigger that links to connected content and when the receiver will execute a disconnected-content trigger that links to disconnected content. As clarified in the above amended claim, the configuration information specifies whether a receiver is connected to,

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or disconnected from, a bi-directional connection to a remote source. Additionally, the receiver will only execute a connected-content trigger and thereby access the connected content when the configuration information specifies that the receiver is connected.

The recited embodiments also include receiving a content trigger linking to enhanced content and determining, based on a connectivity value within the content trigger, whether the content trigger is a connected content trigger or a disconnected-content trigger. Thereafter, if it is determined that connectivity value distinguishes the trigger as a connected-content trigger and that the receiver is connected, the invention includes an act of executing the connected-content trigger to thereby access the enhanced content from a remote source over a bi-directional connection. However, if it is instead determined that the connectivity value distinguishes the trigger as a disconnected-content trigger, regardless of whether the configuration information indicates that the receiver is connected or disconnected, the disconnected-content trigger is executed to thereby access the enhanced content from local storage without utilizing a bi-directional connection with a remote source to access the enhanced content. The claimed embodiments also add that when the receiver is disconnected, the available enhanced content is more limited than the enhanced content available when disconnected (claim 54).

As further recited in some of the new dependent claims, the trigger can, in addition to, and *separate from*, the connectivity value, include a location of the enhanced content (claim 52). For example, the trigger may include a local or remote address indicative of the location of the enhanced content, while the connectivity value is defined in an attribute/value pair (claim 53).

Although, the ATVEF reference teaches many things with regard to triggers, ATVEF fails to disclose or suggest a receiver that functions in the claimed manner. First, the reference does not appear to disclose a method, receiver, system, or computer program product which, based on the connection status of the receiver, prevents a view from being interrupted by links to inaccessible enhanced content. To the contrary, in section 2.2, as continued on page 12, ATVEF clarifies that "even when no Internet connection is available," receivers can "view the same content that appears on the Web." In other words, it appears that same enhanced content is accessible and is being provided regardless of whether a receiver is connected (e.g. has an Internet connection) or disconnected (e.g. has no Internet connection). As all content is accessible, regardless of the user's connectivity status to the Web, ATVEF clearly fails to teach any method for preventing a user from viewing links to inaccessible enhanced content, as

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claimed. Even more distinguishing, it is clear that because ATVEF teaches that the same content is available regardless of whether a user has Internet access, the available enhanced content when a receiver is disconnected is not more limited than the enhanced content available when the receiver is connected (claim 54).

Next, Applicants also respectfully submit that the ATVEF reference fails to teach or suggest storing configuration information specifying whether a receiver is connected to, or disconnected from, a bi-directional connection to a remote source, as claimed. For this teaching, the Examiner cites section 1.1.5 of the ATVEF reference which teaches that "receiver implementations will set their own policy for allowing users to turn on or off enhanced TV content," and that "receiver implementers are free to decide how to turn on enhancements and how to enable the user to choose among enhancements." This teaching fails, however, to anticipate or make obvious the claimed elements.

In particular, the ATVEF reference fails to teach any correlation between the connection status of a receiver and any implemented policy permitting users to turning on or off, or choose enhanced TV content. Instead, this disclosure in ATVEF can be read as merely allowing, for example, users to determine whether to display triggers at all (i.e. turn on/off enhanced TV content) or selecting between various links on a page (i.e. choosing among enhancements). Clearly, a user's decision to turn all enhanced content on/off may be done without regard to the connection status of the receiver. This is particularly so in light of the ATVEF teaching that all content, whether via the Internet or one-way broadcast, is the same, such that a user likely has no knowledge of the particular source of the enhanced content to be obtained. Accordingly, the teachings of ATVEF clearly fail to disclose storing configuration information which specifies whether a receiver is connected to, or disconnected from, a bi-directional connection to a remote source, as claimed.

Further, it is clear that the ATVEF reference fails to disclose or suggest that a connectivity value within the content trigger is used to determine whether the content trigger is a connected content trigger or a disconnected-content trigger. For this teaching the Examiner cites to the "lid:" scheme in combination with the ATVEF teaching that receiver implementations can set their own policy for allowing users to turn on or off enhanced TV content (see page 4 of the Office Action). However the "lid:" scheme is merely a URL syntax for providing a "local name for each resource" (see section 1.1.6), and does not specify a connectivity value such as is

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claimed. In fact, the ATVEF reference, clearly differentiates between URLs, attributes, and values (see section 1.1.5).³ Even more distinguishing, the "lid:" scheme is part of an address specifying file location, and is not separate from the connectivity value (claim 52), or defined in an attribute/value pair (claim 53).

In addition, the cited reference does not teach that the determination of whether a content trigger is a connected content trigger or a disconnected content trigger is *based on* the "lid:" scheme. In particular, the cited reference appears to disclose a use of an announcement, rather than the trigger, to identify whether the content trigger is a connected content trigger or a disconnected-content trigger. Particularly, a Transport Type B broadcast using a "lid:" scheme in a trigger also includes an "announcement" which precedes the trigger. The announcement (rather than the trigger) identifies both the enhanced content and the trigger stream for the enhanced content (see section 2.2). Further, the announcement is included only in Transport Type B and "there is no announcement" in Transport Type A (see section 2.1). Accordingly, when a receiver receives the announcement, the mere presence of the announcement allows the receiver to determine that Transport Type B has been sent. Because the mere presence or absence of announcement is determinative of whether a trigger is Transport Type A or Transport Type B, there is no need to determine, based on the "lid:" scheme, whether a trigger is a connected or disconnected-content trigger. Thus, the ATVEF reference fails to teach or suggest determining whether a content trigger is a connected or disconnected-content trigger *based on a connectivity value within the content trigger*, as claimed.⁴

In view of the forgoing, Applicants respectfully point out that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently

³ Applicants also respectfully note the apparent inconsistency between the arguments presented in the Office Action with respect to claims 23 and 49. In particular, with respect to claim 23, the Office Action indicates that the lid: scheme indicates a disconnected content trigger while the http: scheme indicates a connected content trigger. (Office Action, pp 6, 8). In contrast, claim 49 recites that the connectivity value indicates that the content trigger is a connected-trigger content even when the connected-trigger links to locally stored enhancement content. Clearly, if the lid: scheme—which links to locally stored content—indicates the means for identifying a disconnected-content trigger, it cannot also identify the trigger as a connected-content trigger, as recited in the claim. In other words, the art does not disclose or suggest a single connectivity value, in the manner claimed, for reflecting connectivity and disconnectivity.

⁴ For the Examiner's convenience, Applicants also note that the "tve:" attribute is common to both Transport Type A and Transport Type B, and therefore does not distinguish between connected and disconnected-content triggers. Moreover, tve: is an attribute rather than a connectivity value, as claimed.

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described, in a single prior art reference." MPEP § 2131. In the present case, there are elements that have not been disclosed either expressly or inherently, as mentioned above, such that the present invention is clearly distinguished from the art of record.

Accordingly, for at least these reasons, as well as the others that were presented in the previous amendments and interview discussions, Applicants respectfully submit that the cited art fails to anticipate or make obvious Applicants' invention, as claimed, for example, in the independent claims. In view of this, Applicants note for the record that the other rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually. However, in this regard, it should be appreciated that Applicants do not necessarily acquiesce to any assertions in the Office Action that are not specifically addressed above, and hereby reserve the right to challenge those assertions at any appropriate time in the future, should it arise, including any official notice.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that all of the pending claims (2, 3, 23, 24, 26-37 and 39-54) are now in condition for prompt allowance. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 24 day of October, 2005.

Respectfully submitted,



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